

(In effect as of January 1, 2005*)

TABLE 8. BENEFITS FOR PERMANENT PARTIAL DISABILITY PROVIDED BY WORKERS' COMPENSATION STATUTES
IN THE U.S.

SAWW - State's Average Weekly Wage

Jurisdiction	Percentage of Worker's Wage	<u>Payments Per Week</u>		Percentage of SAWW	Maximum Period For Unscheduled Injury	Notes
		Minimum	Maximum			
Alabama.....	66 2/3	\$167 - 27 1/2% of SAWW, or worker's average wage if less, for scheduled injuries.	\$220.00*	100	300 weeks	*(By legislation, maximum weekly compensation is capped at \$220.) Also see 1/.
Alaska.....	-----	-----	-----	N/A	-----	See 2/.
Arizona.....	55	Payable, but not statutorily pre- scribed.	\$374.01	N/A	Duration of disability	

*See Introduction page.

1/**Alabama:** Section 25-5-57--In case a scheduled permanent partial disability follows or accompanies a period of temporary total disability resulting from the same injury, the period of TTD shall not be deducted from the maximum number of weeks set for each partial disability; in case of non-scheduled PPD, such periods shall be deducted.

2/**Alaska:** Permanent partial disability benefits are determined by multiplying \$177,000 times the employee's percentage of permanent partial impairment of the whole person and is payable in a single lump sum, unless the employee is enrolled in a vocational rehabilitation program. Compensation may not be discounted for any present value considerations.

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Arkansas....	66 2/3	\$20	\$350.00	N/A	450 weeks	If the claimant's TTD rate for injury is \$205.35 or greater, maximum PPD rate will be 75% of claimant's total disability rate.
California..	66 2/3	\$105	\$270.00	N/A	619.25 weeks (applicable to a worker with a 99.5% disability)	4 to 9 weeks of WC payable for each 1% of permanent disability, depending on severity. Thereafter, if disability is at least 70%, but not more than 99.75%, a life pension of 1.5% of the employee's weekly earnings will be paid for each 1% of disability over 60% subject to a maximum weekly rate of \$116.27.

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Colorado....	-----	\$212.32 - scheduled injury. 3/ 4/	\$354.90	91	Duration of disability	WC benefits subject to Social Security benefit offsets and to reduction by benefits under an employer pension or disability plan. Total maximum amount payable is \$120,000. See 3/.
Connecticut.	75% of worker's spendable Earnings	\$50.00	\$751.00	100 (of aver- age pro- duction Wage)	520 weeks	WC benefits subject to Social Security benefit offset.
Delaware....	66 2/3	\$174.61 - 22 2/9% of SAWW, or actual wage if less, for scheduled injury.	\$523.83	66 2/3	300 weeks	
District of Columbia..	66 2/3	\$255.50	\$1,022.00	100	Duration of disability	

3/**Colorado:** Section 8-42-104(2)(b)--When benefits are awarded for PPD, the award of benefits shall exclude any
for a previous impairment to the same body part.

4/Effective July 1, 2000, and each succeeding July 1 thereafter, the compensation rate for PPD shall be modi-
fied for claims arising on and after such date by the same percentage increase or decrease as the SAWW.

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Florida.....	5/	See 5/	\$525.00	N/A	5/	
Georgia.....	66 2/3	\$42.50 or average wage if less.	\$425.00	N/A	Based on statutory schedule or in proportion to the body as a whole based on a maximum of 300 weeks.	PPD is paid after TTD and TPD ends.
Hawaii.....	66 2/3	\$156.00 - 25% of SAWW, or worker's average wage if less, but not lower than \$38.	\$622.00	100	In propor- tion to scheduled injuries; or a % of loss of the whole man.	Maximum WC for % of disability based on the whole man is the product of 312 times the effective maxi- mum weekly benefit rate.

5/Florida: Section 440.15(3)(a), F.S.--Impairment income benefits are paid at the rate of 75% of the injured worker's average weekly temporary total disability benefit amount for a period of:

- 2 weeks for each percentage point of impairment from 1% through 10%.
- 3 weeks for each percentage point of impairment from 11% through 15%.
- 4 weeks for each percentage point of impairment from 16% through 20%.
- 6 weeks for each percentage point of impairment from 21% and up.

This is the case unless the injured worker is earning at least pre-injury wages. If this is the case, benefit levels are reduced by 50%.

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Idaho.....	N/A	-----	\$298.65	55	In propor- tion to losses of the whole man based on a maximum of 500 weeks.	Amounts are for permanent partial impairment. Disability is in addition to PPI and takes into account medical and non-medical factors.
Illinois....	60	\$80.90 to \$96.90 or worker's average wage if less, according to number of dependents.	\$567.87	N/A	500 weeks (worker able to pursue usual work duties); Duration of disability (worker unable to pursue usual work duties)	Maximum WC for ampu- tation of a member or enucleation of an eye is 133 1/3% of SAWW (\$1034.56).
Indiana.....	66 2/3	Payable but not statutorily prescribed.	\$588.00	N/A		The amount of compensation for PPI is determined by multiplying a percentage of the worker's wage by the degree of perma- nent impairment. 6/

6/ **Indiana:** The amount of compensation is computed on the basis of a specific number of degrees. The benefit is computed on the basis of a statutorily established schedule of dollars to be paid for each degree of impairment. Higher levels of impairment have higher dollar values per degree.

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Iowa.....	80% of worker's spendable earnings	\$135.80 to \$144.74 according to marital status and number of dependents.	\$1,042.08	184	In proportion to scheduled injuries or in proportion to losses of the whole man based on a maximum of 500 weeks.	
Kansas.....	66 2/3	\$25	\$449.00	75	415 weeks	Total amount payable is \$100,000 for a work disability and \$50,000 for a functional dis- ability. WC benefits subject to UI and Social Security benefit offsets.
Kentucky....	66 2/3	Payable, but not statutorily prescribed.	\$607.23	75	425 weeks/ 520 weeks if disability exceeds 50%.	(Benefits represent unscheduled injuries only.) WC benefits terminate when em- ployee qualifies for Social Security benefits.

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Louisiana...	66 2/3	-----	\$438.00	75	520 weeks	Additional benefits of \$30,000 for cata- strophic injuries, payable 1 year after injury.
Maine.....	80% of worker's after tax earnings	-----	\$523.20	90	364 weeks; however, duration of disability if impairment is in excess of 11.8% to the body for dates of injury from 1/1/93 to 12/31/01 and 13.2% for dates of injury on or after 1/1/02.	
Maryland....	66 2/3	\$50 or actual wage if less.	\$578.00 (serious cases-250 weeks or more) \$257.00 (non-serious cases-75 to 249 weeks) \$114 (minor non-serious cases-1 to 74 weeks)	75 33 1/3	Duration of disability	

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Massachusetts	(60% of the difference between employee's AWW before injury and AWW after injury)	Payable, but not statutorily prescribed.	\$689.09	75	260 weeks	Total number of weeks may be extended to 520 if it is found that the employee has suffered a permanent loss of 75% or more of bodily function or sense. Bulk sums allowed for scheduled losses depending on extent of loss. Additional \$6 will be added per dependent, if weekly benefits are below \$150. WC benefits subject to reduction by UI and Social Security benefits.
Michigan....	80% of worker's spendable earnings for scheduled loss only. No payment for permanent partial.	\$191.28 - 25% of SAWW for scheduled injury only.	\$689.00	90	Duration of disability	WC benefits subject to reduction by UI.

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		Minimum	Maximum			
Minnesota...	66 2/3	If paid weekly, \$130 or actual wage if less.	\$750.00	N/A	-----	The percentage of disability to the body is set out in permanent partial disability schedule rules. The percentage is applied to a compensation table to determine the benefit amount. PPD is paid after TTD ends. It may be paid out in weekly amounts (based on wage rate) or in a lump sum.
Mississippi.	66 2/3	-----	\$351.14	66 2/3	450 weeks	Total amount payable is \$158,013.00
Missouri....	66 2/3	\$40	\$354.05	55	400 weeks	
Montana.....	66 2/3 7/	Payable but not statutorily prescribed.	\$252.00	50	375 weeks	
Nebraska....	66 2/3	\$49 or actual wage if less for scheduled injuries.	\$579.00	100	300 weeks	If partial disa- bility begins after a period of total disability, the period of total disability will be deducted from the 300-week limit for PPD.

7/Montana: Section 39-71-703--Wage loss benefits are determined by multiplying the percentage of impairment, age, education, restrictions and wage loss by 375 weeks
not to exceed a permanent partial disability rating of 100 percent.

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		Minimum	Maximum			
Nevada.....	-----	Payable, but not statutorily prescribed.	\$633.08	150	Duration of disability	The % of disability is determined by the Commission using AMA guides. Each 1% of impairment of the whole man is compen- sated by a monthly payment of 0.6% of the claimant's average monthly wage for 5 years or until the 70th birthday of the claimant, which- ever is later. However, if the injured employee's date of injury occurred prior to January 1, 2000, the percentage varies from 0.5% to 0.54% to 0.6%. Minimum lump sum if conditions of NRS 616C.495(4) are met.
New Hampshire.	60	\$213.90 - 30% of SAWW not to exceed employee's after tax earnings.	\$1,069.50	150	262 weeks	
New Jersey..	70	\$35.00	\$666.00	75	600 weeks	Benefits set in ac- cordance with "wage and compensation schedule".

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		Minimum	Maximum			
New Mexico..	66 2/3	\$36 or actual wage if less for scheduled injuries.	\$563.32	100	500 weeks if disability is less than 80%; 700 weeks if equal to or greater than 80%; 100 weeks (primary mental impairment) greater of 100 weeks or duration of physical disability (secondary mental impairment)	If partial disability begins after a period of total disability, the period of total disability shall be deducted from the maximum period.
New York....	66 2/3	\$40 or actual wage if less.	\$400.00	N/A	Duration of disability	
North Carolina..	66 2/3	\$30 for scheduled injuries.	\$704.00	110	300 weeks	

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North Dakota....	-----	-----	\$175	33 1/3	1500 weeks 100% impairment	Compensation for TTD and PPI may be paid concurrently.
Ohio.....	-----	-----	\$678.00 scheduled award, \$226.00 % award	100	-----	See 8/.
Oklahoma....	70	\$30 or actual wage if less.	\$264.00 for injuries occurring 11/1/02 - 10/31/05	50	500 weeks	
Oregon.....	66 2/3	\$50 or 90% of actual wage if less.	\$915.78 (times 4.35, payable monthly)	133	See 9/	See 10/

8/**Ohio:** For unscheduled injuries (based on a percentage of PPD), weekly benefits are limited to 1/3 of the State average weekly wage, for a portion of 200 weeks.

9/**Oregon:** Awards greater than \$6,000, TTD rate times 4.35 payable monthly; less than \$6,000, paid in lump sum.

10/**Oregon:** For injury dates prior to 01/01/05, scheduled PPD is compensated at \$559.00 per degree of disability. Unscheduled PPD compensated on a 3 - tier additive rate: initial 64 degrees @ \$184.00 times the number of degrees; next 96 degrees @ \$321.00 times the number of degrees; above 160 degrees @ \$748.00 times the number of degrees. For injury dates on/after 01/01/05, PPD includes impairment (whole person impairment times 100 times SAWW) and, in absense of worker return to work at injury, work disability (impairment as modified by factors of age, education, adaptabilityto perform past work, times 150 times worker's weekly wage

for job at injury - with wage being no less than 50% or more than 133% of SAWW).

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		Minimum	Maximum			
Pennsylvania	66 2/3	-----	\$716.00	100	500 weeks	WC for nonscheduled awards is determined at 66 2/3% of the difference between the wages of the injured employee and the earning power of the employee, their- SAWW. Also see 11/.
Puerto Rico.	66 2/3	\$100	\$300.00 (payable Per month)	N/A	In proportion to scheduled injuries.	Total maximum payable is \$32,400.
Rhode Island....	75% of worker's spendable earnings scheduled 1/2 of AWW	\$45	\$760.00 - nonsche- duled injury; \$90 - scheduled injury	110	312 weeks	
		are paid as for total incapacity.				
South Carolina..	66 2/3	\$75 or average wage if less.	\$592.56	100	340 weeks	

11/**Pennsylvania:** WC benefits subject to offsets for receipt of "old age" Social Security benefits, unemployment compensation benefits, severance pay and benefits from an employer-funded pension plan.

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South Dakota....	66 2/3 (scheduled) 50 (non- scheduled)	\$257 or worker's average wage if less.	\$513.00	100	Duration of disability	
Tennessee...	66 2/3	\$95.70 - 15% of SAWW.	\$638.00	100	400 weeks	Total amount payable is \$247,200
Texas.....	70% of worker's earnings	\$81 - 15% of SAWW.	\$377.00	70	300 weeks	
Utah.....	66 2/3	\$45 to \$70 according to number of dependents but not more than the em- ployee's AWW.	\$392.00	66 2/3	312 weeks	In case partial dis- ability begins after a period of total disability, the period of total dis- ability shall be deducted from the maximum.
Vermont.....	66 2/3	\$296 - 50% of SAWW, or worker's average wage if less.	\$887.00	150	Per rating according to AMA guides most recent addition.	

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Virginia....	66 2/3	\$176.50 - 25% of SAWW, or actual wage if less for scheduled injuries.	\$706.00	100	500 weeks	Period of payment may be extended if employee is still disabled within 1 year of final payment.
Virgin Islands...	66 2/3	\$60 or actual wages if less.	\$385.00	66 2/3	200 weeks	
Washington..	-----	Payable monthly, but not statu- torily prescribed.	-----	N/A	-----	Total maximum amount payable for non- scheduled injury is \$154,529.95 12/
West Virginia..	66 2/3	\$144.20**	\$381.75	70 of SAWW for the year of injury.	-----	** Subject to Federal minimum weekly wage.

12/**Washington:** Payments based on permanent physical impairment; in event award exceeds three times the State's average monthly wage, employee receives first payment equal to three times the State's average monthly wage with balance in monthly payments per temporary disability schedule plus eight percent interest per annum on unpaid balance.

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		Minimum	Maximum			
Wisconsin...	66 2/3	\$20	\$242.00	N/A	1000 weeks	WC benefits subject to Social Security benefit offsets.
Wyoming.....	N/A	-----	\$586.00 Based on earnings in calendar quarter when injured.	100	In propor- tion to scheduled	
United States*: FECA.....	66 2/3 - 75**	\$259.72 or actual wage if less.	\$1,680.53	N/A	Duration of disability	Maximum weekly bene- fit is based on the pay of a specific grade level in the Federal Civil Service.**Benefits calculated at 75 percent where there are one or more dependents.
LHWCA.....	66 2/3	\$257.70- 50% of NAWW**, or actual wage if less.	\$1,030.78	200% of NAWW	Duration of disability	**National Average Weekly Wage is \$515.39.

*Federal Employees' Compensation Act;
Longshore and Harbor Workers' Compensation Act.